

SA 06 CA 0738 XR

DEFENDANTS

Brent Wilson, ChoicePoint Services, Inc., Robert Faith, Stacey Hunt, John and/or Jan Doe, and Greystar Real Estate Partners, Inc.

County of Residence of First Listed Defendant: Dallas County, Texas
(IN U.S. PLAINTIFF CASES ONLY)

Attorneys (If Known):

Robert T. Mowrey Texas Bar No. 14607500 Locke Liddell & Sapp LLP 2200 Ross Ave., Suite 2200 Dallas, Texas 75201 (214) 740-8505 (214) 756-8505 (facsimile) Attorney for Defendants ChoicePoint Services, Inc. and Brent Wilson	David Fritsche 921 Proton San Antonio, Texas 78258 (210) 227-2726 (210) 227-5500 (facsimile) Attorney for Greystar Real Estate Partners, LLC
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III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	G 1	G 1	Incorporated <i>or</i> Principal Place of Business In This State	G 4	G 4
Citizen of Another State	G 2	G 2	Incorporated <i>and</i> Principal Place of Business In Another State	G 5	G 5
Citizen or Subject of a Foreign Country	G 3	G 3	Foreign Nation	G 6	G 6

IV. NATURE OF SUIT					
CONTRACT		TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
G 110 Insurance G 120 Marine G 130 Miller Act G 140 Negotiable Instrument G 150 Recovery of Overpayment & Enforcement of Judgment G 151 Medicare Act G 152 Recovery of Defaulted Student Loans (Excl. Veterans) G 153 Recovery of Overpayment of Veteran's Benefits G 160 Stockholders' Suits G 190 Other Contract G 195 Contract Product Liability	PERSONAL INJURY G 310 Airplane G 315 Airplane Product Liability G 320 Assault, Libel & Slander G 330 Federal Employers' Liability G 340 Marine G 345 Marine Product Liability G 350 Motor Vehicle G 355 Motor Vehicle Product Liability G 360 Other Personal Injury	PERSONAL INJURY G 362 Personal Injury—Med. Malpractice G 365 Personal Injury —Product Liability G 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY G 370 Other Fraud G 371 Truth in Lending G 380 Other Personal Property Damage G 385 Property Damage Product Liability	G 610 Agriculture G 620 Other Food & Drug G 625 Drug Related Seizure of Property 21 USC 881 G 630 Liquor Laws G 640 R.R. & Truck G 650 Airline Regs. G 660 Occupational Safety/Health G 690 Other	G 422 Appeal 28 USC 158 G 423 Withdrawal 28 USC 157 PROPERTY RIGHTS G 820 Copyrights G 830 Patent G 840 Trademark SOCIAL SECURITY	G 400 State Reapportionment G 410 Antitrust G 430 Banks and Banking G 450 Commerce/ICC Rates/etc. G 460 Deportation G 470 Racketeer Influenced and Corrupt Organizations G 810 Selective Service G 850 Securities/Commodities/Exchange G 875 Customer Challenge 12 USC 3410 G 891 Agricultural Acts G 892 Economic Stabilization Act G 893 Environmental Matters G 894 Energy Allocation Act G 895 Freedom of Information Act G 900 Appeal of Fee Determination Under Equal Access to Justice G 950 Constitutionality of State Statutes 890 ☒ Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	LABOR	FEDERAL TAX SUITS	
G 210 Land Condemnation G 220 Foreclosure G Rent Lease & Ejectment G 240 Torts to Land G 245 Tort Product Liability G 290 All Other Real Property	G 441 Voting G 442 Employment G 443 Housing/Accommodations G 444 Welfare G 440 Other Civil Rights	G 510 Motions to Vacate Sentence Habeas Corpus: G 530 General G 535 Death Penalty G 540 Mandamus & Other G 550 Civil Rights G 555 Prison Condition	G 710 Fair Labor Standards Act G 720 Labor/Mgmt. Relations G 730 Labor/Mgmt. Reporting & Disclosure Act G 740 Railway Labor Act G 790 Other Labor Litigation 791 Empl. Ret. Inc. Security Act	G 861 HIA (1395ff) G 862 Black Lung (923) G 863 DIWC/DIWW (405(g)) G 864 SSID Title XVI G 865 RSI (405(g)) G 870 Taxes (U.S. Plaintiff or Defendant) G 871 IRS—Third Party 26 USC 7609	

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

G 1 Original
Proceeding☒ 2 Removed from
State CourtRemanded from
Appellate CourtG 4 Reinstated or
ReopenedG 5 Transferred from
another district
(specify)G 6 Multidistrict
LitigationG 7 Appeal to District
Judge from
Magistrate
Judgment**VI. CAUSE OF ACTION**(Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. (Do not cite jurisdictional statutes unless diversity):
Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.*

Brief description of cause:

Plaintiff sued Defendants for violations of the Fair Credit Reporting Act, breach of contract, defamation and other actions related to ChoicePoint Services, Inc.'s allegedly false statements regarding Plaintiff's credit and criminal background that caused Defendant Greystar Real Estate Partners, LLC, to terminate Plaintiff's apartment lease.

**VII. REQUESTED IN
COMPLAINT**G DEMAND: Plaintiff seeks unspecified actual and exemplary damages. CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No**VIII RELATED CASE(S)
IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

Date: August 25, 2006

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG JUDGE

XR**MJ-NSN**

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

Supplement to JS 44 Civil Cover Sheet
Cases Removed from State District Court

This form must be filed with the Clerk's Office no later than the **first business day** following the filing of the Notice of Removal. Additional sheets may be used as necessary.

The attorney of record for the removing party **MUST** sign this form.

STATE COURT INFORMATION

1. Please identify the court from which the case is being removed; the case number; and the complete style of the case.

This action is a civil action No. 2006 CI 11334 pending in the 37th District Court of Bexar County, styled *Thomas Retzlaff v. Brent Wilson, ChoicePoint Services, Inc., Robert Faith, Stacey Hunt, John and/or Jane Doe, and Greystar Real Estate Partners, LLC*

2. Was jury demand made in State Court? Yes ☒ No ☐

If yes, by which party and on what date?

Plaintiff

Party Name

July 25, 2006

Date

STATE COURT INFORMATION

1. List all plaintiffs, defendants, and intervenors still remaining in the case. Also, please list the attorney(s) of record for each party named and include the attorney's firm name, correct mailing address, telephone number, and fax number (including area codes).

Thomas Retzlaff, Plaintiff

Thomas C. Retzlaff
P.O. Box 92
San Antonio, Texas 78291-0092
(210) 317-9800
(210) 877-6034 (facsimile)

ChoicePoint Services, Inc. and Brent Wilson, Defendants

Robert T. Mowrey
State Bar No. 14607500
C. Don Clayton
State Bar No. 24027932
Locke Liddell & Sapp LLP
2200 Ross Ave., Suite 2200
Dallas, Texas 75201
(214) 740-8505
(214) 756-8505 (facsimile)

Greystar Real Estate Partners, LLC, Defendant

David Fritsche
Law Office of David Fritsche
921 Proton
San Antonio, Texas 78258
(210) 227-2726
(210) 227-5500 (facsimile)

2. List all parties that have not been served at the time of the removal, and the reason(s) for non-service.

ChoicePoint Services, Inc., Robert Faith, and Stacey Hunt.

Defendants Brent Wilson and ChoicePoint Services, Inc. are not aware of the reasons for non-service

3. List all parties that have been non-suited, dismissed, or terminated, and the reason(s) for their removal from the case.

Not applicable.

COUNTERCLAIMS, CROSS-CLAIMS, and/or THIRD-PARTY CLAIMS:

1. List separately each counterclaim, cross-claim, or third party claim still remaining in the case and designate the nature of each such claim. For each counterclaim, cross-claim, or third-party claim, include all plaintiffs, defendants, and intervenors still remaining in the case. Also, please list the attorney(s) of record for each party named and include the attorney's firm name, correct mailing address, telephone number, and fax number (including area codes).

Not applicable.

VERIFICATION:


Robert T. Mowrey, Attorney for Removing Party

August 28, 2006
Date

Choice Point Services, Inc. and Brent Wilson
Party/Parties

AO82 SWEDA
(Rev. 4/90)

TRIPLICATE
 RECEIPT FOR PAYMENT
 UNITED STATES DISTRICT COURT
 for the
 WESTERN DISTRICT OF TEXAS

202661

at SA 8/28/06

Fund	
6855XX	Deposit Funds
604700	Registry Funds
	General and Special Funds
508800	Immigration Fees
085000	Attorney Admission Fees
<u>086900</u>	Filing Fees
322340	Sale of Publications
322350	Copy Fees
322360	Miscellaneous Fees
143500	Interest
322380	Recoveries of Court Costs
322386	Restitution to U.S. Government
121000	Conscience Fund
129900	Gifts
504100	Crime Victims Fund
613300	Unclaimed Monies
<u>510000</u>	Civil Filing Fee (1/2)
510100	Registry Fee

086400 - \$100.00

CASE REFERENCE:

SA-06-CA-738-XR

RECEIVED FROM

Locke, Liddell & Sapp LLPCK #113061\$350.00Thomas Retzlaff vs. Brent Wilson, Choicepoint Services, Inc,
et alDEPUTY CLERK PA

Checks and drafts are accepted subject to collection and full credit will only be given when the check or draft has been accepted by the financial institution on which it was drawn.